5611709/2022/TAPPAL-REV01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Revenue Department - Sri Bh. Bhavani Sankar, age 33 years, Revenue Divisional Officer, Vizianagaram, Vizianagaram District - Initiation of disciplinary proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Articles of charge - Issued.

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REVENUE (VIGILANCE.I) DEPARTMENT

G.O.Rt.No.760 **Dated:30-11-2021**

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ORDER:

It is proposed to hold an enquiry against Sri Bh. Bhavani Sankar, Revenue Divisional Officer, Vizianagaram, Vizianagaram District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure- I). A statement of imputations of misconduct / misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge proposed to be sustained are also enclosed (Annexures-III & IV).

3. Sri Bh. Bhavani Sankar, Revenue Divisional Officer, Vizianagaram, Vizianagaram District is directed to submit, within 10 days from the date of receipt of this order, a written statement of his defence.

4. Sri Bh. Bhavani Sankar, Revenue Divisional Officer, Vizianagaram, Vizianagaram District is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Bh. Bhavani Sankar, Revenue Divisional Officer, Vizianagaram, Vizianagaram District is further informed that if he does not submit his written statement of defence on or before the date specified in para3 above, further action will be processed based on the material available.

6. Attention of Sri Bh. Bhavani Sankar, Revenue Divisional Officer, Vizianagaram, Vizianagaram District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri Bh. Bhavani Sankar, Revenue Divisional Officer, Vizianagaram, Vizianagaram District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the Order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. USHA RANI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Sri Bh. Bhavani Sankar, Revenue Divisional Officer, Vizianagaram, Vizianagaram District
(through the Chief Commissioner of Land Administration, A.P.,Vijayawada.)
The Chief Commissioner of Land Administration, A.P., Vijayawada
(with a request to serve the order on the individual and furnish served copy of this G.O. within a week).
The Director General, Anti Corruption Bureau, A.P., Vijayawada.
Copy to:
The District Collector, Vizianagaram District .
S.F./S.C.

// FORWARDED BY ORDER //

SECTION OFFICER

5611709/2022/TAPPAL-REV01

ANNEXURE –I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI Bh. BHAVANI SANKAR, AGE 33 YEARS,REVENUE DIVISIONAL OFFICER, VIZIANAGARAM, VIZIANAGARAM DISTRICT.

That Sri Bh. Bhavani Sankar, Revenue Divisional Officer, Vizianagaram, Vizianagaram District (hereinafter referred as Government Servant) while functioning as such during the period between 19.08.2020 to 05.06.2021 committed grave misconduct in as much as:

Article 1:

That the Government servant Sri Bh.Bhavani Sankar, Revenue Divisional Officer, Vizianagaram failed to furnish correct information to the Inspector of Police (Investigation Officer), ACB, Vizianagaram Range in convention with investigation in Cr.No.5/RCT-ACB-VVZ/2021 u/s 7(a) of P.C. (Amendment) Act, 2018 when he was asked to furnish certain information regarding who is responsible for not downloading the application for replacement of Pattadar Passbook at O/o the Tahsildar. Initially, RDO sent a reply that "computer operator downloads the applications of for replacement of PPB" (Dt.28.05.2021) later the same RDO stated that "the Deputy Tahsildar has to download the application and other details on the same day and sends it to Village Revenue Officer and Mandal Surveyor for preliminary verification" (Dt.04.06.2021) both the letters are contradictory. Finally, the rule position was certified by the Dist. Collector & Dist. Magistrate as "the Tahsildar has to download and verify", as such CO-2 failed to furnish correct rule position, thereby failed to monitor/guide the Tahsildar, Garividi Mandal, Vizianagaram District.

Thus Sri Bh. Bhavani Sankar, Revenue Divisional Officer, Vizianagaram, Vizianagaram Districtby his above-mentioned acts exhibited lack of devotion to duty, failed to maintain integrity, behaved in a manner unbecoming of a Govt. servant, and thereby contravened Rule 3 (1) &(2) of APCS (conduct)Rules, 1964.

V. USHA RANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE –II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI.Bh. BHAVANI SANKAR, AGE 33 YEARS, REVENUE DIVISIONAL OFFICER, VIZIANAGARAM

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Sri Bh. Bhavani Sankar, Revenue Divisional Officer, Vizianagaram, Vizianagaram Districtis a native of Parvathipuram Town, Vizianagaram District.His date of birth is 24.07.1988. He entered into Government service as Deputy Collector under category-2 of A.P. Civil Services (Executive Branch) Rules, 1992 on 01.05.2018, and presently working as Revenue Divisional Officer, Vizianagaram from19.08.2020 to till date. He is due to retire on attaining the age of superannuation on31.07.2048.He is hereinafter referred to as Government Servant (G.S).

Charge 1 :

That the Government servant Sri Bh.Bhavani Sankar, Revenue Divisional Officer, Vizianagaram failed to furnish correct information to the Inspector of Police (Investigation Officer), ACB, Vizianagaram Range in convention with investigation in Cr.No.5/RCT-ACB-VVZ/2021 u/s 7(a) of P.C. (Amendment) Act, 2018 when he was asked to furnish certain information regarding who is responsible for not downloading the application for replacement of Pattadar Passbook at O/o the Tahsildar. Initially, RDO sent a reply that "computer operator downloads the applications of for replacement of PPB" (Dt.28.05.2021) later the same RDO stated that "the Deputy Tahsildar has to download the application and other details on the same day and sends it to Village Revenue Officer and Mandal Surveyor for pereliminary verification" (Dt.04.06.2021) both the letters are contradictory. Finally, the rule position was certified by the Dist. Collector & Dist. Magistrate as "the Tahsildar has to download and verify", as such CO-2 failed to furnish correct rule position, thereby failed to monitor/guide the Tahsildar, Garividi Mandal, Vizianagaram District.

Facts and Evidence:

That on15.05.2021 Sri Palla Seetharam, S/o Adiyya, age 22 years, Siridevipuram Village, Merakamudidam Mandal, Vizianagaram District came to the office of the DSP, ACB, Vizianagaram and presented a written complaint stating thathis father Sri Palla Adiyya purchased agricultural land to an extent of Ac.6.83 Cents at Bondapalli Village, Garividi Mandal, Vizianagaram District long ago. The Pattadhar Passbook of that land was damaged. On 07.05.2021 he filed an application in the name of his father at Meeseva Centre, Boddam Village for the replacement of the old Pattadhar passbook. On 13.05.2021, he met Sri Abaddam, Village Revenue Officer, Bondapalli Cluster, gave the Meeseva receipt, old Pattadhar Passbook of that land, and other related papers to him, and asked him to process his application for replacement of the old Pattadhar passbook. Then the VRO Sri Abaddam has verified the Meeseva receipt, the Pattadhar Passbook and told him that the entire work of replacement of the old Pattadhar Passbook is to be done by himself, he will process the file only if the complainant pays the bribe amount of Rs. 3,000/-. On that, the complainant told him that why should he pay the bribe amount as their records are correct and left from there. Again on 15.05.2021 afternoon at 1400 hours, the complainant met the VRO Sri Abaddam at his residence at Garividi Village and asked him to process the work of replacement of the old Pattadhar passbook. Then the VRO informed him that he will process the file only if he pays the demanded bribe amount of Rs. 3,000/- otherwise he won't do the work. As the complainant didn't have sufficient money, the VRO insisted the complainant to pay an advance of Rs. 1,000/-, and pay the reaming bribe amount of Rs. 2,000/- may be paid to him at his office. The complainant recorded verbal conversations between him and the VRO on a memory card. Later the complainant copiedthe conversation from that memory card to another memory card.Even though he is not willing to pay the bribe amount to the VRO Sri Abaddam, he reluctantly agreed to pay the demanded bribe to him as there is no other way to get his work and paid a bribe of Rs. 1,000/- to VRO as advance at the O/o Tahsildar, Garividi on 15.05.2021 afternoon. The VRO received the same and asked the complainant to hand over the remaining bribe of Rs. 2,000/- within 2 - 3 days.

That after observing all legal formalities, the DSP, ACB, Vizianagaramregistered the complaint of the complainant as a case in Cr. No. 03/RCT-VZM/2021 under section 7(a) of The Prevention Of Corruption (Amendment) Act, 2018 (Act 16 of 2018)on17.05.2021 at 07.00 hours and took up investigation.

(P.T.O)

On 17.05.2021, the DSP, ACB, Vizianagaram secured the presence of two respectable mediators and conducted the pre-trap proceedings at the Office of DSP, ACB, Vizianagaram Range on 17.05.2021 0730 hours to 0900 hours in the presence of mediators and a trap was arranged against the AO-1 on 17.05.2021.

On 17.05.2021 at 1130 hours Sri Debarki Abaddam, Village Revenue Officer, Bondapalli Cluster was successfully trapped by the ACB officials when he further demanded and accepted the bribe amount of Rs. 2,000/- from the complainant for showing the above said official favor i.e "to process and recommend the online application of the father of the complainant to issue new Pattadhar passbook as the old Pattadhar Passbook got damaged". The chemical test was conducted on both the hand fingers of the Village revenue Officer Sri Debarki Abaddam yielded positive results. The tainted currency notes were recovered from the possession of the VRO from his shirt's left side front pocket. The serial numbers of the recovered currency notes were tallied with the serial numbers of the currency notes mentioned in pre-trap proceedings. The inner linings of his shirt's left side front pocket of VRO from where the tainted currency was recovered were also subjected to the chemical test and the test yielded positive results.

During post trap proceedings the DSP, ACB seized the official favor file containing replacement of Pattadhar passbook application of Sri Palla Adiyya and its enclosures and original old Pattadar passbook when produced by the AO. During the investigation, Inspector, ACB, Vizianagaram examined the witnesses and obtained documentary evidence.

The oral and documentary evidence available on record is sufficient to substantiate the allegation of demand and acceptance of bribe amount of Rs.2,000/- by the Accused Officer from the complainant for doing an official favor. Thus AO has committed the offense punishable U/s 7 (a) of the P.C. Act, 1988 (As amended by Act 16 of 2018).

During the investigation, the Inspector, ACB, Vizianagaram obtained the following documentary evidence:-

i. Guidelines on the issuance of e-Pattadhar passbooks: - It reveals that Tahsildar has to download and verify the documents submitted at the Meeseva kiosk operator.
ii. Letter Rc. No. 1564/2021/SDT-1/KRRC, Dt. 25.06.2021, Collector's Office, Vizianagaram:- It reveals the Guidelines on the issuance of e-Pattadar. As per the Guidelines on the issuance of e-Pattadar passbook, the Tahsildar has to download and verify the documents submitted at Meeseva Kiosk.

iii. Letter dated 26.05.2021 & 04.06.2021 of the Inspector of Police, ACB, Vizianagaram:- Reveals that the Government Servant was requested to issue information about who is responsible for not downloading the application for replacement of Pattadhar Passbook at the O/o Tahsildar.

iv. Letter RC No. 523/2021/K, dated: 28.05.2021 of Revenue Divisional Officer, Vizianagaram: It reveals the Government Servant furnished the information to Inspector, ACB, Vizianagaram that the computer operator downloads the applications for the replacement of the Pattadhar Passbook at the O/o Tahsildar.

v. Letter RC No. 523/2021/K, dated: 05.06.2021 of Revenue Divisional Officer, Vizianagaram:- It reveals the Government Servant furnished the information to Inspector, ACB, Vizianagaram that Deputy Tahsildar has to download the application and other details on the same day and send it to Village Revenue Officer and Mandal Surveyor for preliminary verification.

During the investigation, the Inspector, ACB, Vizianagaram secured and examined the following witness:-

Smt. B. Padmavathi, Special Deputy Collector (KRCC), Collector's Office, Vizianagaram:- She stated that Tahsildar has to download and verify the documents submitted at the Meeseva kiosk operator as per Guidelines on the issuance of e-Pattadhar Passbook.

Hence the charge against the Government Servant that he failed to furnish correct information to the Inspector of Police (investigation officer), ACB, VizianagaramRange when he was asked to furnish certain informationregarding who is responsible for not downloading the application for replacement of Pattadhar Passbook at O/o the Tahsildar for investigation in Cr.No 03/RCT-ACB/VZM/2021 U/Sec 7(a) of P.C (Amendment) Act., 2018 of Vizianagaram Range.

(P.T.O)

Thus the Government servantSri Bh. Bhavani Sankar, Revenue Divisional Officer, Vizianagaram, Vizianagaram District by his above-mentioned acts has exhibited lack of integrity, devotion to duty, and conduct unbecoming of a Government servant and thereby contravened Rule 3(1)& 3(2) of AP Civil Service (Conduct) Rules, 1964.

Thus the Government servant Sri Bh. Bhavani Sankar, Revenue Divisional Officer, Vizianagaram, Vizianagaram District rendered himself for regular departmental enquiry.

V. USHA RANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE –III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI.Bh. BHAVANI SANKAR, AGE 33 YEARS, REVENUE DIVISIONAL OFFICER, VIZIANAGARAM ARE PROPOSED TO BE SUSTAINED :

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1. Guidelines on the issuance of e-Pattadhar passbooks: - It reveals that Tahsildar has to download and verify the documents submitted at the Meeseva kiosk operator.
2. Letter Rc. No. 1564/2021/SDT-1/KRRC, Dt. 25.06.2021, Collector's Office, Vizianagaram:- It reveals the Guidelines on the issuance of e-Pattadar . As per the Guidelines on the issuance of e-Pattadar passbook, the Tahsildar has to download and verify the documents submitted at Meeseva Kiosk.
3. Letter dated 26.05.2021 & 04.06.2021 of the Inspector of Police, ACB, Vizianagaram:- Reveals that the Government Servant was requested to issue information about who is responsible for not downloading the application for replacement of Pattadhar Passbook at the O/o Tahsildar.
4. Letter RC No. 523/2021/K, dated: 28.05.2021 of Revenue Divisional Officer, Vizianagaram: It reveals the Government Servant furnished the information to Inspector, ACB, Vizianagaram that the computer operator downloads the applications for the replacement of the Pattadhar Passbook at the O/o Tahsildar.
5. Letter RC No. 523/2021/K, dated: 05.06.2021 of Revenue Divisional Officer, Vizianagaram:- It reveals the Government Servant furnished the information to Inspector, ACB, Vizianagaram that Deputy Tahsildar has to download the application and other details on the same day and send it to Village Revenue Officer and Mandal Surveyor for preliminary verification.
6. **Copy of Post Trap Proceedings:-** It reveals the facts of post trap proceedings etc facts.

V. USHA RANI
PRINCIPAL SECRETARY TO GOVERNMENT

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5611709/2022/TAPPAL-REV01

ANNEXURE –IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI.Bh. BHAVANI SANKAR, AGE 33 YEARS, REVENUE DIVISIONAL OFFICER, VIZIANAGARAM ARE PROPOSED TO BE SUSTAINED.

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1) Smt. B. Padmavathi, Special Deputy Collector (KRCC), Collector's Office, Vizianagaram: - She stated that Tahsildar has to download and verify the documents submitted at Meeseva kiosk operator as per Guidelines on the issuance of e-Pattadhar Passbook.

2) Sri. K. Satish Kumar, Inspector of Police, Anti Corruption Bureau, Vizianagaram Range, Vizianagaram(Investigation Officer):-He will speak about his conducting investigation, etc., facts.

V. USHA RANI
PRINCIPAL SECRETARY TO GOVERNMENT

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